

## UNITED STATES DISTRICT COURT

District of MASSACHUSETTS

RONALD JORDAN, ROBERT McKAY, ET AL.

V.

## BILL OF COSTS

JOSEPH C. CARTER, ET AL.

Case Number: 04-10927-RGS

Judgment having been entered in the above entitled action on 7/6/2007 against PLAINTIFFS,  
 the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$	
Fees for service of summons and subpoena .....		90.00
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case .....		2,160.15
Fees and disbursements for printing .....		
Fees for witnesses (itemize on page two) .....		0.00
Fees for exemplification and copies of papers necessarily obtained for use in the case .....		1,329.80
Docket fees under 28 U.S.C. 1923 .....		
Costs as shown on Mandate of Court of Appeals .....		
Compensation of court-appointed experts .....		
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....		
Other costs (please itemize) .....		
	TOTAL	\$ 3,579.95

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

## DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- ☐ Electronic service by e-mail as set forth below and/or.
- ☒ Conventional service by first class mail, postage prepaid as set forth below.

s/ Attorney:



Name of Attorney:

Mark W. Batten

For: Joseph C. Carter and The MBTA Police Department

Date: 8/10/2007

Name of Claiming Party

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

Clerk of Court

By:

Deputy Clerk

Date

UNITED STATES DISTRICT COURT

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
					<b>TOTAL</b>		<b>\$0.00</b>

## NOTICE

**Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

**See also Section 1920 of Title 28, which reads in part as follows:**

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**The Federal Rules of Civil Procedure contain the following provisions:**

Rule 54 (d)

“Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day’s notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court.”

### Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

### Rule 58 (In Part)

**“Entry of the judgment shall not be delayed for the taxing of costs.”**

**ATTACHMENT A**

<b>Deposition Costs Pursuant to 28 U.S.C. § 1924</b>		
<b>Deponent/Deposition Date</b>	<b>Description</b>	<b>Amount</b>
Robert MacKay 03/02/06	Original Transcript 1 Mini w/Index 1 ASCII Delivery Fees	\$660.00 **Invoice attached
Ronald C. Jordan 03/06/06	Original Transcript 1 Mini w/Index 1 ASCII Delivery Fees	\$507.00 **Invoice attached  *Combined payment of \$1,167.00 – Check attached
Joseph C. Carter 04/05/06  Mark Gillespie 04/05/06	Copies of Transcripts Condensed Transcripts Process/Delivery	\$489.00 **Invoice and check attached
Delores Ford-Murphy 11/17/06  Thomas McCarthy 11/17/06	Copies of Transcripts Condensed Transcripts Process/Delivery	\$504.15 **Invoice and check attached

**ATTACHMENT A**

<b>Service of Subpoena Costs Pursuant to 8, U.S. C. § 1924</b> Costs of Copies of documents necessarily filed and served	
<b>Description</b>	<b>Amount</b>
Beacon Hill Research – 10/27/06 Subpoena Braintree Police Department	\$90.00 **Invoice attached

**ATTACHMENT A**

<b>Document Preparation Costs Pursuant to 8, U.S. C. § 1924</b> Costs of Copies of documents necessarily filed and served	
<b>Description</b>	<b>Amount</b>
6,649 Pages @ \$0.20 per page	\$1,329.80

**EXHIBIT A**

MEDEIROS ATLANTIC GROUP, INC.

1217 CAPE CORAL PKWAY #159  
 CAPE CORAL, FL 33904  
 EIN #26-0057142

**Invoice**

164024/101

Date	Invoice #
3/21/2006	8178

Bill To
PROSKAUER ROSE LLP ONE INTERNATIONAL PLACE BOSTON, MA 02110 617.526.9600 MARK BATTEN, ESQ.

DUE ON REC...

3/21/2006

Quantity	Description	Rate	Amount
120	3/2/06 Deposition of Robert MacKay in Re: Ronald Jordan, et al. v. Joseph Carter, et al.: Original & 1	4.50	540.00
2	ASCII & Mini w/index	50.00	100.00
1	Delivery: email and Fedex	20.00	20.00
<div style="position: relative; height: 200px;"> <div style="position: absolute; top: 10px; left: 10px; transform: rotate(-90deg); transform-origin: left top;">           RECEIVED 06 MAY 19 P 2:00         </div> <div style="position: absolute; top: 40%; left: 30%; border: 1px solid black; border-radius: 50%; padding: 10px; transform: rotate(-10deg);">           JK            News - 6800            4/23/2006         </div> <div style="position: absolute; top: 60%; left: 20%;">           PAID         </div> <div style="position: absolute; bottom: 10%; left: 30%;">           RECEIVED MAY 19 2006         </div> </div>		<b>Balance Due</b>	<b>\$660.00</b>

Phone #

617.590.9767

E-mail

DEPO@GOMEDEIROS.COM

MEDEIROS ATLANTIC GROUP, INC.

1217 CAPE CORAL PKWAY #159  
 CAPE CORAL, FL 33904  
 EIN #26-0057142

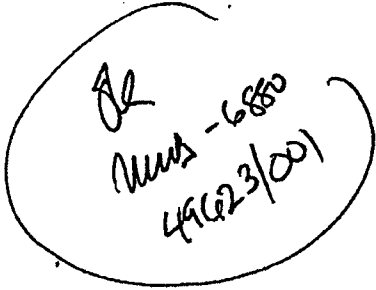

**Invoice**

Date	Invoice #
3/14/2006	8171

Bill To
PROSKAUER ROSE LLP ONE INTERNATIONAL PLACE BOSTON, MA 02110 617.526.9600 MARK BATTEN, ESQ.

1646240 MB

DUE ON REC...
3/14/2006

Quantity	Description	Rate	Amount
86	3/6/06 DEPOSITION OF RONALD C. JORDAN IN RE: DONALD	4.50	387.00
2	JORDAN, ET AL. V. JOSEPH C. CARTER, ET AL.: ORIGINAL & 1		
2	ASCII & MINI W/INDEX	50.00	100.00
1	DELIVERY: EMAIL AND FEDEX	20.00	20.00
<div style="text-align: center;">  </div>			
<div style="display: flex; justify-content: space-between;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">           RECEIVED 06 MAY 19 P 2:00         </div> <div style="text-align: center;">           RECEIVED MAY 19 2006         </div> <div style="text-align: center;">  </div> </div>			
<b>Balance Due</b>			<b>\$507.00</b>

Phone #
617.590.9767

E-mail
DEPO@GOMEDEIROS.COM



1585 BROADWAY NEW YORK, NEW YORK 10036 CHECK NO.: 241879

VCHR #	INV. #	DATE	ACCOUNT #	INVOICE DESCRIPTION	AMOUNT PAID
1640240	8171	03-14-06		TRANSCRIPTS & DEPOSITION	507.00
1640241	8178	03-21-06		TRANSCRIPTS & DEPOSITION	660.00

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05/31/06

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1585 Broadway  
New York, NY 10036

CHECK NO. 241879

18/210, 280

CITIBANK, N.A.  
CITIBANK CENTER  
150 EAST 58RD  
NEW YORK, NY 10048

OPERATING ACCOUNT  
CHECK AMOUNT

**\$1,167.00**

ONE THOUSAND ONE HUNDRED SIXTY-SEVEN AND 00/100 DOLLARS

PAY  
TO THE  
ORDER OF

MEDEIROS ATLANTIC GROUP, INC.  
1217 CAPE CORAL PKWY #15B  
CAPE CORAL FL 33904

THE BACK OF THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK-HOLD AT AN ANGLE TO VIEW

⑈ 24 18 79⑈ ⑆ 0 2 1000089⑆ 24 576 13 5⑈

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Boston, MA 02110

1636507MB

INVOICE NO.: 977809  
INVOICE DATE: 4/13/2006  
REPORTER:  
Bernadette D'Alelio

Mark W. Batten, Esq.  
Jordan, et al. -v- Carter, et al.

ID# 04-3176149

Date	Description	Amount
	DATE TAKEN: 4/5/06	
	DEPOSITION OF: Joseph C. Carter	
	Copy of Transcript: (93 Pages)	251.10
	CONDENSED TRANSCRIPT	35.00
	DEPOSITION OF: Mark Gillespie	
	Copy of Transcript: (57 Pages)	153.90
	CONDENSED TRANSCRIPT	35.00
	PROCESSING FEE	6.00
	COURIER	8.00
	<i>Heather Ansell</i>	
	<b>Sub Total</b>	<b>489.00</b>
	<b>Paid</b>	<b>0.00</b>
	<b>Balance Due</b>	<b>489.00</b>

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1636507	977809	04-13-06		TRANSCRIPTS SERVICE	489.00

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One International Place  
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INVOICE NO. : 983000  
INVOICE DATE: 12/11/2006  
REPORTER:  
Barbara Montijo

Mark W. Batten, Esq.  
Jordan, et al. v. MBTA, et al.

ID# 04-3176149

Date	Description	Amount
	DATE OF SERVICE: November 17, 2006	
	DEPOSITION OF: Delores Ford-Murphy	
	COPY OF TRANSCRIPT (81 Pgs.)	218.70
	CONDENSED TRANSCRIPT	35.00
	DEPOSITION OF: Thomas McCarthy	
	COPY OF TRANSCRIPT (71 Pgs.)	191.70
	CONDENSED TRANSCRIPT	35.00
	EXHIBIT REPRODUCTION	9.75
	PROCESSING FEE	6.00
	COURIER	8.00
	Sub Total	504.15
	Paid	0.00
	Balance Due	504.15

Terms: Net 30 days from date of invoice.  
A service charge of 1.5% per month will  
be applied to all past due balances.

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123073  
Nub- 6880  
49623/001

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800 452-3039



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**INVOICE**

11/2/06

**Beacon Hill Research**

11 Beacon Street  
Suite 720  
Boston, MA 02108

Invoice Number: 45729

Invoice Date: 10/27/06

Page: 1

Voice: 617-973-4555

Fax: 617-973-4565

Bill To:

PROSKAUER ROSE  
1 INTERNATIONAL PLACE  
BOSTON, MA 02111

MARK BATTEN

Customer ID: 1192

Client Charge	Payment Terms	Associate	Due Date
JORDAN V CARTER	Net 10 Days	KM	11/6/06

Description	Amount
10/27/06 SUBPOENA BRAINTREE POLICE DEPARTMENT	90.00
<p>OK Kush-6850 49623/001</p> <p>RECEIVED NOV 02 2006</p>	
Subtotal	90.00
Sales Tax	
Total Invoice Amount	90.00
Payment/Credit Applied	
<b>TOTAL</b>	<b>90.00</b>

Check/Credit Memo No:

Finance Charges apply to invoices over 60 days

CostCode	Worked Amount	Billed Amount	Description
101	1329.80	1329.80	REPRODUCTION